IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.45833-M of 2006
Date of Decision:- 25.1.2007

Reeta & anr. ....Petitioner(s)

through
Mr.Arvind Kashyap, Advocate

vs.

State of Haryana & ors. ....Respondent(s)

through
Mr.R.D.Sharma, DAG, Haryana.
Mr.Puneet Bassi, Advocate for
respondent Nos.3 to 5.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

The petitioners, who assert that they were born on 10.3.1984 and 18.1.1980 and are, thus, major and have married to each other on 21.7.2006 against the wishes of parents/family members of petitioner No.1, seek a direction that the respondent-Police Authorities should not harass them at the instance of respondent Nos.3 to 5 i.e. the parents/family members of petitioner No.1.

In response to the notice of motion, written statement has been filed by SI Amar Singh, Station House Officer, Police Station, Chandimandir, District Panchkula in which it is admitted that on a complaint received by the police from the father of petitioner No.1 wherein it is stated that she was minor, F.I.R.No.120 dated 8.8.2006 under Sections 363,366, 368 IPC was registered at Police Station, Chandimandir. It is claimed that the matter is still being investigated.

Neither learned State counsel nor learned counsel representing respondent Nos.3 to 5 dispute the fact that petitioner No.1 is major and/or

the eligibility of petitioner No.2 to marry her.

If that is so, no offence can be said to have been committed by the petitioners by getting married to each other.

The irresistible conclusion would be that by registering the aforesaid F.I.R., the respondent-police authorities have unnecessarily interfered in the married life of the petitioners.

Consequently and for the reasons aforestated, this petition is allowed. In the interest of justice and in order to ensure that the petitioners are not subjected to any further harassment, F.I.R.No.120 dated 8.8.2006 and all the proceedings arising therefrom are hereby quashed.

January 25, 2007 **(SURYA KANT)**
poonam **JUDGE**